Analysis of legal text translation from the perspective of differences between static and dynamic in English and Chinese

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Abstract: Since the reform and opening up, China has had close exchanges and connections with foreign countries in various fields such as politics, economy, and culture. The Chinese government has been vigorously promoting the rule of law for many years, striving to build China into a rule of law society with good order. Law is the foundation and guarantee for smooth domestic and international exchanges and cooperation, and also a prerequisite for the development of a socialist harmonious society. Therefore, the translation of legal texts is not only conducive to promoting exchanges and cooperation between countries, but also facilitates the exchange of legal systems between different countries. In the case of English-Chinese bilingualism, both languages belong to different language families, and there are differences to varying degrees in language expression and thinking patterns based on cultural factors. Among them, the differences in static and dynamic English and Chinese are particularly prominent in legal text translation. Therefore, this article will compare and analyze the differences between English and Chinese through the original text and the translation, delve into the dynamic characteristics of Chinese and the static characteristics of English, and further analyze the similarities and differences between the two languages in order to provide reference for the translation of similar texts and translators.

Key words: static; dynamic; comparative analysis; legal text

1 Introduction

In the process of English to Chinese translation, translators often encounter differences in expression between the two languages, with dynamic and static differences being particularly prominent. The dynamic and static differences are primarily reflected in the use of verbs in language expression (both oral expression and written form). Verbs are words representing actions, behaviors, developments, and changes of people or things, and they are the most complex and active part of speech. The general meaning of verbs in English and Chinese is the same, but the quantity, frequency, and usage of verbs are not entirely the same. In terms of overall rhetorical effect, English tends to be "static" while Chinese tends to be "dynamic", which means "English tends to use verbs (predicates) less frequently, or uses other ways or words to express actions which contain the same meaning with verbs, while Chinese has an inherent habit of using verbs more frequently". According to the statistics of Mr. Chen Ding'an, in the "S" section of *The 6000 Words--A Supplement to Webster's Third New International Dictionary*, nouns account for over 79%; in the "A" section of *A Dictionary of English* edited by Barnhart, there are 204 nouns, accounting for over 95% [5]. Due to the habit of language expression, Chinese, whether in

oral or written form, tends to prioritize the use of verbs or the simultaneous use of multiple verbs in a single sentence.

Based on the dynamic and static differences in English and Chinese language expression, translators need to pay attention to these differences when discussing the theoretical and practical applications of dynamic and static differences between English and Chinese. In order to better explore theory and application, this article will expound on these topics from three parts: the first part will introduce the characteristics of legal texts, the second part will explain the differences between dynamic and static in English and Chinese through case analysis and bilingual conversion, and the third part will provide an overall summary.

2 The introduction of the legal text

Legal text refers to written documents used to express legal norms, opinions, or judicial decisions, including constitutions, laws, regulations, treaties, judgments, contracts, and litigation documents. These texts mainly cover various fields such as national policies, economy, society, culture, and people's lives in terms of content, and have a fixed format with high standards for style, primarily in the form of objective narration. In terms of sentence structure, this type of text commonly uses rigorous and precise expressions and specific legal terminology, especially Latin legal terms, to ensure accuracy of expression. Definitions and explanations are often included in parts that are prone to misunderstandings and ambiguities to ensure clarity of expression.

One of the most prominent features of Chinese legal texts is the high frequency of verb usage, such as guàn chè luò shí (implement), bān bù luò shí (promulgate), jiàn lì jiàn quán (establish), yǔn xǔ (permit), shǐ yòng (apply), zhī chí (support), and so on. The purposes of abundant usage of verbs in Chinese are to emphasize dynamic descriptions, highlighting the continuity, intensity, or frequency of actions. This structure can enhance expressive power of actions and enrich the language, making language more rich and vivid [8]. In English expression, however, both formal and informal texts tend to reduce the use of verbs and use a large number of nouns to reflect the professionalism and logic of the text. Therefore, based on the special function of political texts, in the translation of legal texts, translators need to adopt appropriate translation strategies to minimize the impact of bilingual differences on reader understanding.

3 The contrastive analysis of static and dynamic differences between English and Chinese

The accuracy of translation is not simply about word-to-word equivalence, but also involves considering the linguistic habits and cultural differences of different languages. English, as an inflected language, has strict constraints on the usage of verbs due to its language habits and specific grammar structures. Within the framework of strict grammar rules, a sentence structure usually contains one predicate verb at least, meaning "subject + predicate" is the most basic sentence pattern in English expression. When a sentence involves multiple actions or events that are not in a parallel or sequential relationship, only finite verbs can be used to express the actions or behaviors that need to be emphasized, while other verb related forms of meaning can be expressed to achieve static English [2].

Chinese verbs have no inflection, unlike English verbs, which can not only have an independent and complete meaning, but also can express different tenses and voices through inflection and still retain part of the meaning of the verb. In Chinese, verbs often need to express different meanings by changing word order or adding other verbs. In addition, Chinese verbs can also act as prepositions, which are mostly derived from verbs and retain some of the characteristics of verbs. This paper will provide a detailed analysis of how static and dynamic concepts are expressed in English-Chinese translation, utilizing theory and case studies to support our analysis.

3.1 Verb nominalization

Nominalization refers to the process of transforming other parts of speech (such as verbs, adjectives, adverbs) into nouns. This transformation can be achieved by adding suffixes, changing the form of words or modifying the structure of

phrases, thereby transforming words that originally express actions, states, or qualities into nouns representing things, concepts, or abstract ideas. The advantage of verbal nominalization in expression lies in reducing the repetition of words, making sentences more concise, flexible and natural, and facilitating the expression of complex thoughts. The use of verbal nominalization means an increase in the use of nouns, resulting the whole sentence lacks a sense of dynamics. Proper use of verbs can make sentences more lively and agile, while improper use can make the language abstract and difficult to understand, and excessive use of nouns can lead to lengthy and rigid sentences [1].

In English, legal texts, as a formal style, aim to accurately and specifically describe legal concepts and procedures. Nominalization can make legal texts more formal and precise, reducing ambiguity and vagueness. In addition, nominalization can give legal texts higher authority and a unique style of legal terminology. By using nominalization, legal texts can also be more logically and structurally clear and coherent. For example, "duì jìn chū kǒu shāng pǐn jìn xíng rèn zhèng, jiǎn yàn, jiǎn yì" can be translated into "makes authentications, inspections, and quarantines to the import and export commodities". (*Article 20 of the Foreign Trade Law of the People's Republic of China (2022 Revision)*). In the sentence, "rèn zhèng, jiǎn yàn, jiǎn yì" are verbs in a parallel relationship. The preceding "jìn xíng" is also a verb but different from the following three verbs. Here, it is used to indicate the object and scope of the following verb. For the use of four verbs in a row in the original Chinese text, the translator requires to transform the verbs, that is, remaining the verb "jìn xíng" as the action of the subject, and translating the remaining verbs into the noun form, so as to convey the continuity of the action.

In English, titles of the paper often also require verb nominalization, which can convey the result of an action or behavior, so that the title can express the information and theme to be conveyed more clearly, concisely and effectively, and better attract readers' attention and summarize the content of the article. For example, "quán miàn guàn chè luò shí shuǐ tǔ bǎo chí fǎ, rén wéi shuǐ tǔ liú shī dé dào yǒu xiào fáng zhì" can be translated as "comprehensive implementation of the *Law on Soil and Water Conservation* and effective prevention and control of the artificial water and soil erosion". This title contains a high number of verbs, such as "guàn chè" (implement), "luò shí" (implement), "dé dào" (obtain), and "fáng zhì" (prevent and control). The verbs "guàn chè" and " luò shí" express the same meaning in the Chinese context, demonstrating the flexibility and polysemy of the Chinese language. But this does not align with the English language's preference for conciseness. As for the title "yí sòng guǎn xiá hé zhì dìng guǎn xiá", there are four verbs in a short title. If it is not the title, the sentence "yí sòng guǎn xiá hé zhì dìng guǎn xiá" can be translated as "transfer jurisdiction and designated jurisdiction". There is no mistake in the translation and also in line with English language habits. But this is the title in legal texts, and it is inevitable to focus on static expressions of nominalized verbs to highlight the focus of the title, allowing readers to understand the content of the title more quickly. Therefore, this title should be translated as "Jurisdiction Transfer and Specified Jurisdiction". In the translation process, different processing methods should be applied according to the context, meaning and purpose of the original text. Multiple verbs can be merged into one to maintain conciseness and clarity, or verbs can be retained to ensure the fluency and accuracy of the translation.

3.2 Nouns used to represent actors instead of verbs

In addition to using abstract nouns to represent actions, common nouns containing the meaning of actions are also commonly used to replace verbs, which are generally nouns derived from verbs.

(1) Nouns ending in "-er" or "-or" indicate the agent, identity, occupation, etc., while retaining the original meaning of the verb. These types of nouns often form static structures with prepositional adjectives. Sometimes it does not refer to people, but is used instead of verbs [3]. For example, "offender" is translated as "fàn zuì zhě, wéi fǎ zhě, bèi gào", which refers to the perpetrator or identity of "crime", while retaining the original meaning. "Prosecutor" is translated as "gōng sù

rén, kòng fāng", indicating the person who initiates a lawsuit, while also retaining the meaning of "suing". Other examples include creditor (zhài quán rén), debitor (zhài wù rén), mortgagor (dǐ yā rén).

(2) Nouns formed by adding suffixes "-ment", "-ation", "-tion", or "-ion" to verbs, such as dispossession (bō duó suǒ yǒu quán), disinheritance (bō duó jì chéng quán), disbarment (lǜ shī bèi qǔ xiāo zhí zhào), bailment (bǎo shì), and incorporation (gōng sī shè lì). These words have undergone changes in their linguistic nature but still express the meaning of verbs.

(3) Nouns formed by adding "-ing" to verbs, such as leasing (zū lìn), housing (zhù fáng), and defending (biàn hù). These nouns retain some characteristics and partial meanings of the initial verbs and are mainly used to express more abstract concepts that cannot be conveyed by nouns, while also simplifying sentence and phrase structures.

3.3 The advantage of nouns brings the advantage of prepositions

In English, prepositions are often used to emphasize nouns or nominal words, thus giving rise to preposition advantages. This advantage, combined with noun advantage, makes English more static. In addition, the "noun+ preposition" structure often appears in English, which weakens the meaning of the original verb, adjective, or other words, making the expression more convoluted and increasing the sense of statics [4]. Common expressions in legal texts include "For the purpose of" (wèi le...), "coordination of, and supervision of national marine ecological protection and repair" (zhǐ dǎo, xié tiáo hé jiān dū quán guó hǎi yáng shēng tài bǎo hù xiū fù gōng zuò), and "illegal obstruction of official duties" (wéi fǎ fáng ài gōng wù).

In formal English expression, static expression is preferred. However, overusing such expressions can make the language expression verbose, cumbersome, and lacking vitality. In formal texts, such as the sentence "zì rán bǎo hù dì hǎi ān xiàn xiàng hǎi yī cè bǎo hù lì yòng děng huó dòng jìn xíng jiān dū jiǎn chá". *(Marine Environmental Protection Law of the People's Republic of China* (2023 Revision)), the official translation is "the protection and utilization of the seaward side of the coastline of nature reserves, and other activities within the scope of its duties". Legal documents need to fully consider the actual usage and use clear and concise language expression to ensure the professionalism and ambiguity-free content of the text and avoid excessive use of noun phrases and prepositional phrases [6].

3.4 Weakening and virtualization of verbs in English

In English, delexical verbs refer to those with weaker semantic meaning and higher frequency, which do not have much practical meaning themselves, and usually rely on the following action nouns to express the specific meaning. One of the most commonly used and useful verbs is "be", which lacks a sense of dynamics in its eight forms (be, am, is, are, was, were, being, been). Sentences formed by "it" or "there" link with "be" emphasize static meaning particularly. In addition, English often transforms or derives verbs into nouns and places them as objects after delexical verbs (such as "have" or "make"). For example, "àn zhào zhí zé fēn gōng yī fǎ gōng kāi hǎi yáng huán jìng xiāng guān xìn xī" (*Ocean Environmental Protection Law of the People's Republic of China (2023 Revision)*). The official translation is "make publicly available information on the marine environment based on the division of responsibility".

3.5 Expressing verbal meaning through adjectives and adverbs

English often combines the derived adjectives of verbs with weak verbs to express the meaning of verbs, or forms a copular structure with partial adjectives and weak verbs. Adjectives and adverbs play a crucial role in legal text translation, as they modify verbs, emphasize or weaken legal meaning, convey subtle legal differences, and ensure the accuracy, clarity, and authority of legal documents [7].

In legal documents, actions and states often need to be described more accurately to clearly convey the legal meaning.

Adjectives and adverbs can be used to further modify verbs, making the sentence more precise and powerful. For example, when we say someone "carelessly caused injury" (cū xīn dà yi dǎo zhì le shāng hài), the adverb "carelessly" further emphasizes the way the injury was caused, conveying the defendant's unconscious behavior. Moreover, adjectives and adverbs can also be used to express emphasis and weakening, thereby affecting the interpretation of legal documents. For example, using "intentionally" (gù yì de) in a legal document can emphasize that the action was deliberate, while using "negligently" (shū hu de) weakens the degree of fault of the subject. This subtle difference can have a significant impact on the case's judgment. In addition, the proper use of adjectives and adverbs is crucial because different adjectives and adverbs may represent different legal meanings. For example, in a contract document, "duly authorized" (hé fǎ shòu quán) and "allegedly authorized" (jù chēng shòu quán) express completely different legal effects. The translator needs to accurately grasp the subtlety of adjectives and adverbs in legal translation to ensure the accuracy and authority of the final translation.

In the previous discussion, we discussed the static state of English, which ultimately depend on the translator's treatment of verbs in translation. Although it is repeatedly emphasized the static nature of English, in the actual practice of Chinese-English translation, Chinese verbs do not need to be nominalized: (1) when there are corresponding nouns in English; (2) when the verb serves as a description of the action, rather than being used as a noun; (3) when the verb is used as an adjective. It is not necessary for the translator to deliberately deal with verbs by all means. Retaining some verbs in Chinese can more accurately express the meaning of Chinese sentences, thus improving the accuracy of language expression. Moreover, some Chinese verbs reflect Chinese cultural characteristics. If translated directly into English, the translation may lose cultural characteristics or even the original meaning. Therefore, under appropriate circumstances, it is necessary to retain some verbs in the translation to ensure logical consistency and Chinese characteristics.

4 Conclusion

Through the above analysis, we can clearly understand the static of English and the dynamic of Chinese, recognizing the differences between them, and in turn, better analyze texts in translation studies. As a translator, it is necessary to understand the differences between English and Chinese and adopt appropriate translation strategies, reduce the mechanical correspondence between English and Chinese during the bilingual conversion, and realize the static and dynamic conversion. At the same time, the translator should get rid of the shackles of theory, and be free and creative in the translation process. The difference between English and Chinese is attributed to the translator's switch between different languages and the understanding and application of language habits in different countries. Both static and dynamic are the natural characteristics and attributes of the two languages, so if the translator can master and use the target language skillfully, the translation will naturally and unconsciously achieve the conversion between static and dynamic.

Conflicts of interest

The author declares no conflicts of interest regarding the publication of this paper.

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